

**PATENT COOPERATION TREATY**

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

**TRANSLATION**  
**PCT**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)
Applicant's or agent's file reference <b>P35019-P0</b>		FOR FURTHER ACTION See paragraph 2 below
International application No. <b>PCT/JP2004/008484</b>	International filing date (day/month/year) <b>10.06.2004</b>	Priority date (day/month/year) <b>18.06.2003</b>
International Patent Classification (IPC) or both national classification and IPC		
Applicant <b>MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.</b>		

<p>1. This opinion contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Box No. I Basis of the opinion</li> <li><input type="checkbox"/> Box No. II Priority</li> <li><input checked="" type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li><input type="checkbox"/> Box No. IV Lack of unity of invention</li> <li><input checked="" type="checkbox"/> Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement</li> <li><input type="checkbox"/> Box No. VI Certain documents cited</li> <li><input type="checkbox"/> Box No. VII Certain defects in the international application</li> <li><input type="checkbox"/> Box No. VIII Certain observations on the international application</li> </ul> <p>2. <b>FURTHER ACTION</b></p> <p>If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p> <p>3. For further details, see notes to Form PCT/ISA/220.</p>
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Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material  
 in written format  
 in computer readable form
  - c. time of filing/furnishing  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

the entire international application

claims Nos. 28

because:

the said international application, or the said claims Nos. 28

relate to the following subject matter which does not require an international preliminary examination (*specify*):

Claim 28 pertains to "data" and it is equivalent to presentation of the information.'

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. \_\_\_\_\_  
are so unclear that no meaningful opinion could be formed (*specify*):

the claims, or said claims Nos. \_\_\_\_\_ are so inadequately supported  
by the description that no meaningful opinion could be formed.

no international search report has been established for said claims Nos. \_\_\_\_\_

the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

- has not been furnished  
 does not comply with the standard

the computer readable form

- has not been furnished  
 does not comply with the standard

the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

See Supplemental Box for further details.

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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**1. Statement**

Novelty (N)	Claims	<u>1-27, 29</u>	YES
	Claims	<u></u>	NO
Inventive step (IS)	Claims	<u>2-6, 21, 22</u>	YES
	Claims	<u>1, 7-20, 23-27, 29</u>	NO
Industrial applicability (IA)	Claims	<u>1-27, 29</u>	YES
	Claims	<u></u>	NO

**2. Citations and explanations:**

**Documents cited in the ISR:**

Document 1: JP 05-228116 A (Toto Ltd.), 07 September, 1993

Document 2: JP 2001-067403 A (Yugen Kaisha Kea Network), 16 March, 2001

Document 3: JP 2003-067506 A (NTT Communications Kabushiki Kaisha), 07 March, 2003

Document 4: JP 2002-189722 A (Hitachi, Ltd.), 05 July, 2002

Claims: 1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, and 29

Documents 1 and 2

Document 1 describes a health control biological information collecting and recording system comprising various types of measurement devices, a controller that stores biological information for a plurality of people, and a host computer that is connected to the controller through a network. (See, in particular, the patent abstract and the patent claims.)

Document 2 describes an at-home health control system comprising an easy-input terminal device connected to, for example, an automatic input-type measurement device, and a control center provided with a terminal device, a terminal device, a server, a processing unit, and various types of data bases, and the like. (See, in particular, paragraph 0035-0051.)

Consequently, documents 1 and 2 describe or suggest the measurement device, the server device, and the receiver device of claim 1. Moreover, the processing unit of document 2 clearly handles information regarding the changes in time of the biological information of the plurality of users, based on the description in, for example, paragraph 0038. Consequently, from the description in document 2, the value-added data generating means and value-added data providing means could be envisioned easily by a person skilled in the art.

The measurement data, the method of measuring the data, and how to process the various types of information are seen as aspects that could be determined as appropriate to the design by a person skilled in the art.

Consequently, the inventions of claims 1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, and 29 could be conceived of easily by a person skilled in the art based on documents 1 and 2.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

Claims 2, 3, 4, 5, 6, 21, and 22

Documents 1-4

None of the documents cited in the ISR discloses the use, as value-adding information, of either "changes over time in averages of biological information for the plurality of subjects" or "changes over time in averages of difference values between the plurality of subjects by calculating differences from reference values established in advance for the biological information, and then averaging the calculated difference values for a plurality of subjects that fulfil specific criteria during a specific time interval." Furthermore, the use of this structure could not be conceived of easily by a person skilled in the art.